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Intellectual Property Law Patents Trademarks Copyrights

October 26, 2004

Mail Stop Missing Parts
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P.O. Box 1450
Alexandria, VA 22313-1450

Applicant: George Blanck et al.
Serial No.: 10/711,101
Filed: 08/23/2004
For: Oct-1 as an Oncoprotein
Our Reference No.: 1372.183.PRC

Art Unit: 1645
Examiner: Unassigned
Confirmation No.: 5100

Dear Sir:

Enclosed please find the following:

1. Notice to File Missing Parts of Non-Provisional Application – (2 pages);
2. Combined Declaration and Power of Attorney executed by applicants – (5 pages);
3. Credit Card Payment Form PTO-2038 for \$65.00, payable to Assistant Commissioner for Patents to cover the late oath or declaration surcharge as set forth in 37 C.F.R. 1.16(e) for a small entity in compliance with 37 C.F.R. 1.27; and
4. Self-addressed and postage pre-paid post card to serve as a receipt for items 1-3.

Very respectfully,

SMITH & HOPEN

By: Anton J. Hopon
anton.hopen@smithhopon.com

AJH/sb
Encl.

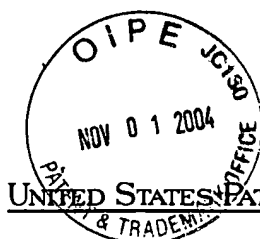
CERTIFICATE OF MAILING
(37 C.F.R. 1.8)

I HEREBY CERTIFY that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 26, 2004.

Date: October 26, 2004

Shelley Butz

IFW



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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/711,101 | 08/23/2004 | George Blanck | 1372.183.PRC |

CONFIRMATION NO. 5100

21901
 SMITH & HOPEN PA
 15950 BAY VISTA DRIVE
 SUITE 220
 CLEARWATER, FL 33760

FORMALITIES LETTER



OC000000013938236

Date Mailed: 09/29/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
 - The line spacing on the specification, claims, or abstract is not 1½ or double spaced (see 37 CFR 1.52(b)).

11/02/2004 CCHAU1 00000036 10711101

SUMMARY OF FEES DUE:

01 FC:2051

65.00 0P

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

B. Heblowold

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE